United Nations A/58/PV.79

General Assembly

Fifty-eighth session

Official Records

79th plenary meeting
Tuesday, 23 December 2003, 6.30 p.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 7.05 p.m.

The President: Let me first apologize for the delay, which was due to circumstances entirely beyond our control. I am sure that members understand that we are endeavouring to make every effort to conclude this evening, rather than continue tomorrow. I thank members for their patience.

Agenda item 26 (*continued*)

The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development

Draft resolutions (A/58/L.30/Rev.1 and A/58/L.38)

Reports of the Fifth Committee (A/58/653 and A/58/654)

The President: Members will recall that the Assembly held a debate on this agenda item at its 55th plenary meeting, on 4 November 2003.

The reports of the Fifth Committee on the programme budget implications of draft resolutions A/58/L.30/Rev.1 and A/58/L.38 have been issued as documents A/58/653 and A/58/654, respectively.

I give the floor to the representative of Mexico to introduce draft resolution A/58/L.30/Rev.1.

Ms. Anguiano Rodríguez (Mexico) (*spoke in Spanish*): It is an honour for the delegation of Mexico to introduce, on behalf of the sponsors, the draft resolution on the United Nations Verification Mission in Guatemala (MINUGUA), which is contained in document A/58/L.30/Rev.1. In addition to the countries listed in the version of the draft resolution that we are introducing today, Japan has joined the list of sponsors.

With the signing of the Agreement on a Firm and Lasting Peace, on 29 December 1996, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca put an end to more than three decades of armed conflict in Guatemala. The Agreement was the result of a six-year negotiation process sponsored by the United Nations. Since that time, at the request of the parties, the United Nations, through MINUGUA, has played a fundamental role in the peace process: verifying compliance with the commitments arising from the Agreement. That role has been widely recognized by the parties to the agreements and by Guatemalan society as a whole.

The draft resolution that we are introducing today takes note of the reports submitted under this item. In particular, it responds to the request of the Government of Guatemala and of that country's civil society that the Mission's mandate be extended for one more year, until the end of 2004, so that it can accompany the peace process during the first year of the mandate of the Government that will assume its duties in January.

Among the draft resolution's new elements, I should like to highlight the appeal to those who will be

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elected on 28 December to support the peace agreements as State accords and to incorporate them into their governmental plans, in conformity with the commitment undertaken by the main political parties in July 2003. Also included is a reference to the meeting of the Consultative Group for Guatemala held in May 2003, in which all participants agreed that the peace agreements should remain the essential road map for Guatemala's development. In addition, there is a reference to the recent agreement to establish an office of the High Commissioner for Human Rights in Guatemala. That will lend continuity to the verification work carried out by MINUGUA, once the Mission's mandate has been completed.

As already indicated, with the adoption of this draft resolution, the Assembly will authorize a final renewal of the Mission's mandate from 1 January to 31 December 2004, in conformity with the recommendations contained in the Secretary-General's report. In addition, we request the Secretary-General to submit to the fifty-ninth session of the Assembly a report on the implementation of the resolution and a final report on the Mission's work.

I wish to indicate an editorial correction to the English version of the draft resolution under consideration. So that it is consistent with the English version recorded on behalf of the sponsors, in operative paragraphs 2 and 12 of the text, the words "with satisfaction" after the word "welcomes" must be deleted.

Guatemala is now in a time of political transition in which the international community's support, through the Mission, remains very important. We trust that the political forces and Guatemalan society as a whole will maintain their commitment to the peace agreements and will commit themselves to completing the tasks remaining in the implementation of those agreements.

In this, which will be the final extension of the mandate of the United Nations Verification Mission in Guatemala, we hope that draft resolution A/58/L.30/Rev.1 will have the Assembly's unanimous support.

The President: The Assembly will now take a decision on draft resolution A/58/L.30/Rev.1, entitled "United Nations Verification Mission in Guatemala", as orally corrected.

May I take it that it is the wish of the General Assembly to adopt draft resolution A/58/L.30/Rev.1?

Draft resolution A/58/L.30/Rev.1, as orally corrected, was adopted (resolution 58/238).

The President: I shall now call on the representative of Japan, who wishes to speak in explanation of position on the resolution just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Omura (Japan): The Japanese delegation would like to provide an explanation regarding my Government's support of the draft resolution contained in document A/58/L.30/Rev.1, entitled "United Nations Verification Mission in Guatemala". Japan believes that continued support for and strengthening of cooperation with the United Nations Verification Mission in Guatemala (MINUGUA) are critical for the enhancement of cooperation relations with Guatemala and with the Central American region as a whole, and has decided to sponsor this draft resolution to extend its mandate.

At the same time, my delegation would like to stress that, while the extension of this Mission will not immediately result in an increase in the United Nations budget, we are generally quite concerned about the budget's continuing expansion. It is essential that, from this point forward, MINUGUA strive to accelerate its activities and to bring its final mandate to a conclusion expeditiously through closer coordination with the United Nations Development Programme and with other relevant organs of the United Nations system that are conducting activities on the ground.

The President: We have heard the only speaker in explanation of position.

Draft resolution A/58/L.38 is entitled "The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development".

Before proceeding to take action on draft resolution A/58/L.38, I should like to announce that, since its publication, the following countries have become sponsors: Antigua and Barbuda, Dominica, Estonia, Germany, Grenada, Jamaica, Lithuania, the Netherlands, Poland, the Republic of Korea, the Russian Federation, Saint Kitts and Nevis, Saint Lucia,

Saint Vincent and the Grenadines, Slovakia, Suriname and Switzerland.

May I take it that it is the wish of the General Assembly to adopt draft resolution A/58/L.38?

Draft resolution A/58/L.38 was adopted (resolution 58/239).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 26?

It was so decided.

Agenda item 52 (*continued*)

Oceans and the law of the sea

Draft resolution (A/58/L.19)

Report of the Fifth Committee (A/58/648)

The President: Members will recall that the Assembly held the debate on this item at its 63rd and 64th plenary meetings, on 24 November 2003.

The report of the Fifth Committee on its programme budget implications is contained in document A/58/648.

We will proceed to consider draft resolution A/58/L.19.

I shall now call on those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Tekin (Turkey): Turkey will vote against the draft resolution entitled "Oceans and the law of the sea", contained in document A/58/L.19.

The reason for my delegation's negative vote is that some of the elements contained in the United Nations Convention on the Law of the Sea that had prevented Turkey from approving the Convention are once again retained in this year's draft resolution. Turkey supports the international efforts to establish a regime of the sea that is based on the principle of equity and that can be acceptable to all States. However, the Convention does not make adequate provision for special geographical situations and, as a consequence, is not able to establish an acceptable balance between conflicting interests. Furthermore, the Convention makes no provision for registering reservations on specific clauses.

Although we agree with the Convention in its general intent and most of its provisions, we are unable to become a party to it because of those serious shortcomings. That being the case, we cannot support the draft resolution, which calls upon States to become parties to the Convention on the Law of the Sea and to harmonize their national legislation with its provisions.

Mr. Pulido León (Venezuela) (*spoke in Spanish*): My delegation wishes to explain its position in the forthcoming voting on the draft resolution entitled "Oceans and the law of the sea", contained in document A/58/L.19.

The delegation of Venezuela wishes once again to place on record its commitment to supporting, as it has always done in the past, efforts to promote coordination and cooperation with respect to oceans and the law of the sea. However, the difficulties that have prevented my country from becoming a party to the United Nations Convention on the Law of the Sea remain unchanged and in effect, despite the fact that the Convention entered into force more than two decades ago. Its standards therefore do not apply to Venezuela, since my country is not a party to that international instrument.

That is why my delegation wishes once again to place on record the fact that, for the reasons I have just noted, certain aspects of the draft resolution on the Convention on the Law of the Sea, contained in document A/58/L.19 under agenda item 52 (a), will compel us to abstain in the imminent voting.

The President: The Assembly will now take a decision on draft resolution A/58/L.19, entitled "Oceans and the law of the sea".

I should like to announce that, since the introduction of the draft resolution, the following countries have become co-sponsors: Cyprus, Denmark, Malta, Mauritius, Sierra Leone and the Former Yugoslav Republic of Macedonia.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Turkey

Abstaining:

Colombia, Venezuela

Draft resolution A/58/L.19 was adopted by 156 votes to 1, with 2 abstentions (resolution 58/240).

[Subsequently, the delegation of Guyana informed the Secretariat that it had intended to vote in favour and the delegation of Azerbaijan informed the Secretariat that it had not intended to participate in the voting.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 52?

It was so decided.

Reports of the First, Second, Third and Sixth Committees

The President: The General Assembly will now take up the following reports in order to take action on remaining draft resolutions, those dealing with the report of the First Committee on agenda item 73; the reports of the Second Committee on sub-items (b) and (f) of agenda item 94; the reports of the Third Committee on agenda items 110 and 113 and on sub-items (b) and (c) of agenda item 117, as well as the report of the Sixth Committee on agenda item 155.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the First, Second, Third and Sixth Committees that are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the First, Second, Third and Sixth Committees have been made clear in the Committees and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee".

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations

of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the First, Second, Third and Sixth Committees, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committees, unless notified otherwise in advance. This means that where recorded or separate votes were taken, we will do the same. I should also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Committees.

Agenda item 73 (*continued*)

General and complete disarmament

Report of the First Committee (A/58/462)

Report of the Fifth Committee (A/58/646)

The President: The Assembly will resume consideration of the report of the First Committee on agenda item 73 to take action on draft resolution I recommended by the First Committee in paragraph 82 of its report (A/58/462).

The report of the Fifth Committee on the programme budget implications of draft resolution I is contained in document A/58/646.

Draft resolution I is entitled "The illicit trade in small arms and light weapons in all its aspects". In the Committee, draft resolution I was adopted with a recorded vote. However, it is my understanding that there is no vote requested in the plenary.

May I take it that it is the wish of the General Assembly to adopt draft resolution I without a vote?

Draft resolution I was adopted (resolution 58/241).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 73?

It was so decided.

The President: The General Assembly has thus concluded its consideration of all the reports of the First Committee before it.

Agenda item 94 (*continued*)

Environment and sustainable development

(b) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

Report of the Second Committee (A/58/484/Add.2)

Report of the Fifth Committee (A/58/655)

The President: The Assembly will resume consideration of the report of the Second Committee on sub-item (b) of agenda item 94 to take action on draft resolution I recommended by the Second Committee in paragraph 14 of its report (A/58/484/Add.2).

The report of the Fifth Committee on the programme budget implications of draft resolution I is contained in document A/58/655.

Draft resolution I is entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa".

A separate vote has been requested on operative paragraph 14 of draft resolution I. Is there any objection to this request? There is none.

I shall now put to the vote operative paragraph 14 of draft resolution I, on which a separate vote has been requested.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican

Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

United States of America

Operative paragraph 14 of draft resolution I was retained by 161 votes to 1.

The President: The Second Committee adopted draft resolution I as a whole. May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 58/242).

The President: I have one request for explanation of vote after the vote. I give the floor to the representative of the United States.

Mrs. Tamlyn (United States of America): The United States remains opposed to the financing of conference services for this treaty body from the United Nations on a non-reimbursable basis. In accordance with Article 17 of the Charter of the United Nations, the Member States of the United Nations are not responsible for expenses relating to treaty body activities. However, in the context of our overall deliberations on the 2004-2005 budget and in keeping with our position that in accordance with General Assembly resolution 41/213 the budget be adopted by consensus, the United States has not blocked provisions for this resource requirement from the contingency fund.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 94?

It was so decided.

(f) Protection of global climate for present and future generations of mankind

Report of the Second Committee (A/58/484/Add.6)

Report of the Fifth Committee (A/58/656)

The President: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 11 of its report (A/58/484/Add.6). The draft resolution is entitled "Protection of global climate for present and future generations of mankind".

A separate vote has been requested on operative paragraph 5 of the draft resolution. Is there any objection to this request? There is none.

I shall now put to the vote operative paragraph 5 of the draft resolution, on which a separate vote has been requested.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic,

Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

United States of America

Operative paragraph 5 of the draft resolution was retained by 161 votes to 1.

The President: The Second Committee adopted the draft resolution as a whole. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 58/243).

The President: One delegation has requested the floor in explanation of vote after the vote. I give the floor to the delegation of the United States.

Mrs. Tamlyn (United States of America): As stated previously, the United States is opposed to the financing of conference services for this treaty body from the United Nations on a non-reimbursable basis. In accordance with Article 17 of the Charter of the United Nations, the Member States of the United Nations are not responsible for expenses relating to treaty body activities. However, in the context of our overall deliberations on the 2004-2005 budget and in keeping with our position that in accordance with General Assembly resolution 41/213 the budget be adopted by consensus, the United States has not blocked provisions for this resource requirement from the contingency fund.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (f) of agenda item 94?

It was so decided.

Agenda item 12 (*continued*)

Report of the Economic and Social Council

Report of the Second Committee (A/58/495)

The President: I now give the floor to the Rapporteur of the Second Committee, Mr. José Alberto Briz Gutiérrez of Guatemala.

Mr. Briz Gutiérrez (Guatemala) (*spoke in Spanish*): I have the honour once again of addressing the General Assembly in relation to agenda item 12, entitled "Report of the Economic and Social Council", assigned to the Second Committee. I wish to call to the attention of the plenary an omission in paragraph 18 of document A/58/495, where, as a recommendation of the Second Committee, a new decision should be included, after decision I. Thus the existing draft decision II, which concerns the Second Committee's proposed programme of work for 2004, becomes draft decision III.

The new draft decision II, entitled "Trust Fund for the United Nations Forum on Forests", was adopted by consensus by the Second Committee and is contained in chapter I of the report of the Economic and Social Council (A/58/3 (Part I)) and in A/C.2/58/6. The text of the draft decision has been circulated informally to the delegations in the Hall.

The President: If there is no objection, the Assembly will resume its consideration of the report of the Second Committee on agenda item 12, entitled "Report of the Economic and Social Council", document A/58/495, to take action on draft decision II

recommended by the Committee in paragraph 18 of its report, the text of which is contained in document A/C.2/58/6 in all languages and was reproduced and circulated in English in the Hall.

Draft decision II is entitled "Trust Fund for the United Nations Forum on Forests".

May I take it that the General Assembly wishes to adopt draft decision II, recommended by the Second Committee?

Draft decision II was adopted (decision 58/554).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 12.

The General Assembly has thus concluded its consideration of all the reports of the Second Committee before it.

Agenda item 110 (*continued*)

Advancement of women

Report of the Third Committee (A/58/501)

Report of the Fifth Committee (A/58/649)

The President: The Assembly will resume consideration of the report of the Third Committee on agenda item 110 to take action on draft resolution VII recommended by the Third Committee in paragraph 43 of its report in document A/58/501.

The report of the Fifth Committee on the programme budget implications of draft resolution VII is contained in document A/58/649.

Draft resolution VII is entitled "Future operation of the International Research and Training Institute for the Advancement of Women".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Australia, Canada, Japan, New Zealand, United States of America

Abstaining:

Albania, Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Poland, Republic of Korea, San Marino, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

Draft resolution VII was adopted by 126 votes to 5, with 30 abstentions (resolution 58/244).

[Subsequently the delegations of the Democratic People's Republic of Korea and South Africa informed the Secretariat that they had intended to vote in favour.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 110?

It was so decided.

Agenda item 113 (*continued*)

Promotion and protection of the rights of children

Report of the Third Committee (A/58/504)

Report of the Fifth Committee (A/58/652)

The President: The Assembly will resume consideration of the report of the Third Committee on agenda item 113 to take action on draft resolution III recommended by the Third Committee in paragraph 65 of its report in document A/58/504.

The report of the Fifth Committee on the programme budget implications of draft resolution III is contained in document A/58/652.

Draft resolution III is entitled "Office of the Special Representative for Children and Armed Conflict".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, France, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Romania, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Singapore, Slovenia, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Australia, Belgium, Canada, Denmark, Finland, Georgia, Germany, Iceland, Israel, Japan, Lithuania, Luxembourg, Netherlands, New Zealand, Poland, Sweden, Switzerland, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Argentina, Bosnia and Herzegovina, Brazil, Bulgaria, Croatia, Czech Republic, Estonia, Fiji, Hungary, Latvia, Mongolia, Norway, Panama, Paraguay, Portugal, Republic of Korea, Republic of Moldova, San Marino, Serbia and Montenegro, Slovakia, Solomon Islands, Spain, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Venezuela

Draft resolution III was adopted by 115 votes to 20, with 28 abstentions (resolution 58/245).

[Subsequently the delegation of India informed the Secretariat that it had intended to abstain.]

The President: May I take it that it is wish of the Assembly to conclude its consideration of agenda item 113?

It was so decided.

Agenda item 117 (*continued*)

Human rights questions

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee (A/58/508/Add.2)

Report of the Fifth Committee (A/58/650)

The President: The Assembly will resume consideration of the report of the Third Committee on

agenda item 117 to take action on draft resolution XXVIII recommended by the Third Committee in paragraph 131 of its report in document A/58/508/Add.2.

The report of the Fifth Committee on the programme budget implications of draft resolution XXVIII is contained in document A/58/650.

Draft resolution XXVIII is entitled "Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities". The Third Committee adopted draft resolution XXVIII without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XXVIII was adopted (resolution 58/246).

The President: The General Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 117.

(c) Human rights situations and reports of special rapporteurs and representatives

Report of the Third Committee (A/58/508/Add.3)

Report of the Fifth Committee (A/58/651)

The President: The Assembly will resume consideration of the report of the Third Committee on sub-item (c) of agenda item 117 to take action on draft resolution II, recommended by the Third Committee in paragraph 57 of its report in document A/58/508/Add.3.

The report of the Fifth Committee on the programme budget implications of draft resolution II is contained in document A/58/651.

Draft resolution II is entitled "Situation of human rights in Myanmar". The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 58/247).

I call on the representative of Myanmar, who wishes to speak in explanation of position on the resolution just adopted.

Mr. Tun (Myanmar): In the Third Committee, Myanmar disassociated itself from draft resolution A/C.3/58/L.63/Rev.1, as orally revised, contained in report A/58/508/Add.3 as draft resolution II.

I would like to request that, for reasons already given in the Third Committee, Myanmar's disassociation from the resolution be duly reflected in the official records.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 117?

It was so decided.

The President: The General Assembly has thus concluded consideration of all the reports of the Third Committee.

Agenda item 155 (*continued*)

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee (A/58/517)

Report of the Fifth Committee (A/58/647)

The President: The Assembly will resume consideration of the report of the Sixth Committee on agenda item 155 to take action on draft resolution I recommended by the Sixth Committee in paragraph 12 of its report (A/58/517).

The report of the Fifth Committee on the programme budget implications of draft resolution I is contained in document A/58/647.

Draft resolution I is entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

The Sixth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/248).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 155?

It was so decided.

The President: The General Assembly has thus concluded its consideration of all the reports of the Sixth Committee before it.

Reports of the Fifth Committee

The President: The General Assembly will consider the reports of the Fifth Committee on agenda items 12, 118, 124 to 126, 131 to 134, 138, 140, 143 (a), 165, 166, 120, 122, 59, 121, 120 together with 121 and 161, and 119.

I request the Rapporteur of the Fifth Committee, Mr. Fouad Rajeh of Saudi Arabia, to introduce in one intervention the reports of the Fifth Committee.

Mr. Rajeh (Saudi Arabia), Rapporteur of the Fifth Committee (*spoke in Arabic*): I have the honour today to present to the General Assembly the reports of the Fifth Committee containing recommendations on issues that required action during the main part of the fifty-eighth regular session of the General Assembly.

The Fifth Committee met on 30 September and from 6 October to 22 December 2003. It held 30 plenary meetings and more than 100 rounds of informal consultations, excluding the many rounds of closed, informal consultations held outside the venue of Conference Room 5, particularly on the items "Scale of assessments for the apportionment of the expenses of the United Nations", "Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations" and "Pattern of conferences" and the reports submitted under agenda item 59, "Strengthening of the United Nations system".

I would be remiss if I failed to mention the intense negotiations on the draft resolution on the proposed programme budget for the biennium 2004-2005, which was held nightly over the past week and this weekend, lasting throughout the night in Conference Room 5. I therefore have the honour to present the following brief report on the work of the Fifth Committee, whose recommendations to the Assembly were all adopted without a vote.

Under agenda item 12, entitled "Report of the Economic and Social Council", in paragraph 8 of its report in document A/58/588 the Committee recommends to the General Assembly the adoption of two draft decisions. Draft decision I is entitled "Delegation of formal authority in matters of personnel of the United Nations Population Fund"; draft decision II takes note of chapters I, VII (sections B and C) and IX of the report of the Economic and Social Council. The two draft decisions were adopted by the Committee without a vote.

Under agenda item 118, entitled "Financial reports and audited financial statements, and reports of the Board of Auditors", in paragraph 7 of its report in document A/58/570 the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

Under agenda item 124, entitled "Scale of assessments for the apportionment of the expenses of the United Nations", in paragraph 7 of its report in document A/58/432/Add.1 the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

Under agenda item 125, entitled "Pattern of conferences", in paragraph 6 of its report in document A/58/575, the Committee recommends to the General Assembly the adoption of a draft resolution on pattern of conferences, which was adopted by the Committee without a vote.

Under agenda item 126, entitled "United Nations common system", the Committee recommends to the General Assembly in paragraph 8 of its report in document A/58/576 the adoption of a draft resolution that was adopted by the Committee without a vote.

The reports of the Committee on agenda items 131 and 132 — "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994" and "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" — are contained in documents A/58/579 and A/58/580, respectively. In paragraph 7 of document A/58/579 and in paragraph 7 of document A/58/580, respectively, the Committee recommends to the General Assembly the adoption of two draft

resolutions that were adopted by the Committee without a vote.

Under agenda item 133, entitled "Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations", in paragraph 6 of its report in document A/58/581, the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

Under agenda item 134, entitled "Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations", in paragraphs 12 and 13 of its report in document A/58/582, the Committee recommends to the General Assembly the adoption of two draft resolutions and two draft decisions. Draft resolution I is entitled "Report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations" and draft resolution II is entitled "Report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates". Draft decision I is entitled "Transfer of buildings to the United Nations Logistics Base at Brindisi, Italy" and draft decision II is entitled "Special measures for protection from sexual exploitation and sexual abuse". All those draft proposals were adopted by the Committee without a vote.

The reports of the Committee on the financing of the following four peacekeeping operations — under agenda item 138, "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo"; under agenda item 140, "Financing of the United Nations Mission of Support in East Timor"; under agenda item 143 (a), "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission"; and, under agenda item 165, "Financing of the United Nations Mission in Liberia" — are contained in documents A/58/583, A/58/584, A/58/585 and A/58/589, respectively. In paragraph 6 of each report, the Committee recommends to the General Assembly the adoption of a draft resolution or draft decision, all of which were adopted by the Committee without a vote.

The report of the Committee on agenda item 166, "Admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund", is contained in document A/58/590. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

Agenda item 120 is entitled "Programme budget for the biennium 2002-2003". In paragraphs 19 and 20 of its report on that item (A/58/572), the Fifth Committee recommends to the General Assembly the adoption of four draft resolutions and three draft decisions, respectively: draft resolution I, "Report of the Joint Inspection Unit on the revenue-producing activities of the United Nations system"; draft resolution II, "Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia and judges of the International Criminal Tribunal for Rwanda"; draft resolution III, "Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Administrator of the United Nations Development Programme"; draft resolution IV, "Conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly: full-time members of the International Civil Service Commission and the Chairman of the Advisory Committee on Administrative and Budgetary Questions"; draft decision I, "Report of the Joint Inspection Unit on support costs related to extrabudgetary activities in organizations of the United Nations system"; draft decision II, "Construction of additional office facilities at the Economic Commission for Africa"; and draft decision III, "Strengthening the Department of Public Information, within the existing capacity, in order to support and enhance the United Nations web site in all official languages of the Organization: follow-up". All those draft proposals were adopted by the Committee without a vote.

The report of the Committee regarding the second performance report for the biennium 2002-2003 under agenda item 120, "Programme budget for the biennium 2002-2003", is contained in document A/58/572/Add.1. In paragraph 5 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution, "Final budget appropriations for the biennium 2002-2003", which was adopted by the Committee without a vote.

Agenda item 122 is entitled "Programme planning". In paragraph 6 of its report on that item (A/58/574), the Committee recommends to the General Assembly the adoption of a draft resolution that was adopted by the Committee without a vote.

Agenda item 59 is entitled "Strengthening of the United Nations system". The report of the Committee on that item is contained in document A/58/587. In paragraph 6 of its report, the Committee recommends to the General Assembly the adoption of a draft resolution, which was adopted by the Committee without a vote.

Agenda item 121 is entitled "Proposed programme budget for the biennium 2004-2005". In its report on that item (A/58/573), the Committee recommends to the General Assembly the adoption of draft report A/C.5/58/L.56, Parts I and II; Part I relates to the measures adopted by the Committee with regard to the programme budget, and Part II contains the Committee's recommendations. With respect to agenda item 121, the Committee considered 11 draft reports on the implications of the proposed programme budget. Document A/C.5/58/L.53 contains the 11 draft reports on the implications of the proposed programme budget, which were adopted by the Committee without a vote. The Committee recommends to the General Assembly the adoption of those reports and decisions, contained in documents A/58/646 and A/58/656.

Here, I should like to draw the Assembly's attention to the following corrections to the draft resolution I in document A/18/573.

(*spoke in English*)

In paragraph 45, the text "rule 105.6 (a)" should be replaced by the text "rule 105.6".

Turning to the end of section 24, the Assembly would endorse the narrative of the Secretary-General contained in paragraphs 24.64 to 24.69 of section 24, Human rights.

Agenda item 161, "Financing of the United Nations Mission in Côte d'Ivoire", was considered by the Fifth Committee, together with agenda item 120, "Programme budget for the biennium 2002-2003", and agenda item 121, "Proposed programme budget for the biennium 2004-2005". In paragraph 7 of its report (A/58/586), the Committee recommends to the General Assembly the adoption of a draft resolution on the financing of the United Nations Mission in Côte d'Ivoire, which was adopted by the Committee without a vote.

(*spoke in Arabic*)

Agenda item 119 is entitled "Review of the efficiency of the administrative and financial functioning of the United Nations". In paragraph 14 of its report (A/58/571), the Committee recommends to the General Assembly the adoption of five draft resolutions. Draft resolution I is entitled "Outsourcing practices". Draft resolution II is entitled "Report of the Joint Inspection Unit on the management audit review of outsourcing in the United Nations and the United Nations funds and programmes". Draft resolution III is entitled "Report of the Joint Inspection Unit on common and joint services of the United Nations system organizations at Vienna". Draft resolution IV is entitled "Report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund". Draft resolution V is entitled "Review of duplication, complexity and bureaucracy in United Nations administrative processes and procedures". Those five draft resolutions were adopted by the Committee without a vote.

In paragraph 5 of the addendum to that report (A/58/571/Add.1), the Committee recommends to the General Assembly the adoption of two draft decisions: draft decision I, on the biennial programme of work of the Fifth Committee for 2004-2005; and draft decision II, on questions deferred for future consideration. Both draft decisions were adopted by the Committee without a vote.

Before concluding, I would like to take this opportunity to express my profound gratitude to the Group of Asian States for demonstrating their confidence in me by asking me to serve as Rapporteur of the Fifth Committee at the fifty-eighth session of the General Assembly. I also thank the chairperson of the Committee and the Deputy Secretary, Ms. Nora Benary, for the considerable efforts they have made. I also thank delegations for their cooperation. I assure them that the changes made to documents in the course of the Fifth Committee's 30th meeting, held this morning, have been duly taken into account and will be reflected in corrected documents as needed. Finally I wish all my colleagues the best for New Year and Christmas.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the

General Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanation of vote. The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind Members that by paragraph 7 of decision 34/401, the General Assembly agreed that when the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee.

May I remind delegations also that in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee unless notified otherwise in advance. I therefore hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Fifth Committee.

Agenda item 12 (*continued*)

Report of the Economic and Social Council

Report of the Fifth Committee (A/58/588)

The President: The General Assembly will now take action on the two draft decisions recommended by the Fifth Committee in paragraph 8 of its report.

Draft decision I is entitled "Delegation of formal authority in matters of personnel of the United Nations Population Fund".

May I take it that it is the wish of the Assembly to adopt draft decision I without a vote.

Draft decision I was adopted (decision 58/555).

The President: Draft decision II is entitled "Report of the Economic and Social Council".

May I take it that the Assembly wishes to adopt draft decision II, recommended by the Fifth Committee?

Draft decision II was adopted (decision 58/556).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 12.

Agenda item 118

Financial reports and audited financial statements, and reports of the Board of Auditors

Report of the Fifth Committee (A/58/570)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 7 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/249).

The President: The Assembly has thus concluded this stage of its recommendations of agenda item 118.

Agenda item 124 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations

Report of the Fifth Committee (A/58/432/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 7 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that it is the wish of the Assembly to do likewise?

The draft resolution was adopted (resolution 58/1 B).

The President: I shall now give the floor to those representatives who wish to speak in explanation of position on the resolution just adopted.

Mr. Alarcón (Costa Rica) (*spoke in Spanish*): With respect to the resolution on the scale of assessments for the apportionment of the expenses of the United Nations that has just been adopted, I would like to thank all delegations that participated, with generosity and in good faith, in the negotiations leading to the more appropriate distribution of the assessments.

As all delegations know, the methodology adopted in 2000 for application over the following three years, created significant distortions that were detrimental to certain countries, particularly developing countries. Unfortunately, the methodology that is in place does not produce fair or equitable results. Costa Rica, together with 14 other nations, experienced an increase in its assessment of more than 50 per cent. The negotiations on the scale of assessments made it possible to reduce the negative impact of the methodology, thanks to the voluntary increase agreed to by the Russian Federation, as well as to bilateral agreements between some of the worst-affected States and others that were interested in resolving this unjust situation.

Costa Rica would like to thank the Government and the people of Spain for their solidarity and generosity. Thanks to them, the increase in my country's assessment during the forthcoming period will be more reasonable — although it will still be significant. My delegation will never forget the noble and visionary initiative of the Spanish people.

The difficulties we faced this year in negotiating the scale of assessments made it clear that we need to undertake an in-depth review of the methodology leading to a sound, fair and equitable calculation that is independent of political considerations. My delegation is prepared to start working to ensure that in 2006 we can adopt a new and better methodology. Likewise, we must provide the Committee on Contributions with clear technical, non-political criteria so as to enable it to evaluate the situation of each of the Member States with greater objectivity and with justice.

Mr. Ramlal (Trinidad and Tobago): During my delegation's statement during the meeting of the Fifth Committee on 15 October on agenda item 124, "Scale of assessments for the apportionment of the expenses of the United Nations", we emphasized four issues, which we viewed as critical to our deliberations.

First, we made clear our unswerving commitment to abide by the agreements contained in resolution 55/5 B, of 23 December 2000, which, among other things, fixed the elements of the scale methodology for two trienniums, namely, 2001-2003 and 2004-2006. Secondly, we emphasized the need for greater political commitment on the part of all Member States to pay their assessed contributions in full, on time and without conditions. Thirdly, we also emphasized the need for the General Assembly to extend sympathetic understanding to those who may be temporarily unable to meet their financial obligations because of genuine economic difficulties. Fourthly, we stressed that, consistent with the technical and political considerations inherent in the scale of assessments, due consideration would be given by the Assembly to ensuring adherence to the fundamental principles and processes which have guided the Assembly over the past 50 years in its deliberations on the scale of assessments.

One of these long-standing principles has been the evolutionary nature of the scale methodology and the related need to ensure that there are no substantial increases in the individual rates of assessments of Member States over successive scale periods. Accordingly, in the context of negotiations on the draft resolution on the scale of assessments, Trinidad and Tobago sought to ensure full adherence to all the agreements contained in resolution 55/5 B, as well as to those principles which have guided the Assembly on this agenda item. We are pleased to have been a part of a consensus resolution on this important agenda item. We would also like to take this opportunity to place on record our appreciation to those delegations whose goodwill facilitated a decision on this agenda item, particularly the Government of Spain.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 124.

Agenda item 125

Pattern of conferences

Report of the Fifth Committee (A/58/575)

The President: The Assembly will now take a decision on the draft resolution recommended by the

Fifth Committee in paragraph 6 of its report. The text of the draft resolution is, for the time being, contained in document A/C.5/58/L.42.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/250).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 125.

Agenda item 126

United Nations common system

Report of the Fifth Committee (A/58/576)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 8 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/251).

The President: May I take it that it is the wish of the General Assembly to conclude this stage of its consideration of agenda item 126?

It was so decided.

Agenda item 131

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee (A/58/579)

The President: The Assembly will now take action on the two draft resolutions recommended by the Fifth Committee in paragraph 7 of its report.

Draft resolution I is entitled "Second performance report for the biennium 2002-2003 on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/252).

The President: Draft resolution II is entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 58/253).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 131.

Agenda item 132

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Fifth Committee (A/58/580)

The President: The Assembly will take action on the two draft resolutions recommended by the Fifth Committee in paragraph 7 of its report.

Draft resolution I is entitled "Second performance report for the biennium 2002-2003 on the International

Tribunal for Yugoslavia for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/254).

The President: Draft resolution II is entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/255).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 132.

Agenda item 133

Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations

Report of the Fifth Committee (A/58/581)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 58/256).

The President: We have thus concluded this stage of our consideration of agenda item 133.

Agenda item 134

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Fifth Committee (A/58/582)

The President: The Assembly will now take a decision on the two draft resolutions recommended by the Fifth Committee in paragraph 12 of its report and on the two draft decisions recommended by the Committee in paragraph 13 of the same report.

We turn first to draft resolution I, entitled "Report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations".

The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/257).

The President: Draft resolution II is entitled "Report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates".

The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/258).

The President: We turn next to draft decision I entitled "Transfer of buildings to the United Nations Logistics Base at Brindisi, Italy".

The Fifth Committee adopted draft decision I without a vote. May I take it that the Assembly wishes to do the same?

Draft decision I was adopted (decision 58/557).

The President: Draft decision II is entitled "Special measures for protection from sexual exploitation and sexual abuse".

The Fifth Committee adopted draft decision II without a vote. May I take it that the Assembly wishes to do likewise?

Draft decision II was adopted (decision 58/558).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 134.

Agenda item 138

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Fifth Committee (A/58/583)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/259).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 138.

Agenda item 140

Financing of the United Nations Mission of Support in East Timor

Report of the Fifth Committee (A/58/584)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/260).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 140.

Agenda item 143

Financing of the activities arising from Security Council resolution 687 (1991)

(a) United Nations Iraq-Kuwait Observation Mission

Report of the Fifth Committee (A/58/585)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of its report. The draft decision is entitled "Financing of the United Nations Iraq-Kuwait Observation Mission".

The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted (decision 58/559).

The President: The Assembly has thus concluded this stage of its consideration of sub-item (a) of agenda item 143.

Agenda item 165

Financing of the United Nations Mission in Liberia

Report of the Fifth Committee (A/58/589)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/261).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 165.

Agenda item 166

Admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund

Report of the Fifth Committee (A/58/590)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/262).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 166?

It was so decided.

Agenda item 120

Programme budget for the biennium 2002-2003

Reports of the Fifth Committee (A/58/572 and A/58/572/Add.1)

The President: The Assembly will turn first to the report of the Fifth Committee contained in document A/58/572.

The Assembly will take a decision on the four draft resolutions recommended by the Fifth Committee in paragraph 19 of the report and on the three draft decisions recommended by the Committee in paragraph 20 of the same report.

Draft resolution I is entitled "Report of the Joint Inspection Unit on the revenue-producing activities of the United Nations system".

The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/263).

The President: Draft resolution II is entitled "Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia and judges of the International Criminal Tribunal for Rwanda".

The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/264).

The President: Draft resolution III is entitled "Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Administrator of the United Nations Development Programme".

The Fifth Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 58/265).

The President: Draft resolution IV is entitled "Conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly: full-time members of the International Civil Service Commission and the Chairman of the Advisory Committee on Administrative and Budgetary Questions".

The Fifth Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 58/266).

The President: We now turn to draft decision I, entitled "Report of the Joint Inspection Unit on support costs related to extrabudgetary activities in organizations of the United Nations system".

The Fifth Committee adopted draft decision I without a vote. May I take it that the Assembly wishes to do likewise?

Draft decision I was adopted (decision 58/560).

The President: Draft decision II is entitled "Construction of additional office facilities at the Economic Commission for Africa".

The Fifth Committee adopted draft decision II without a vote. May I take it that the Assembly wishes to do likewise?

Draft decision II was adopted (decision 58/561).

The President: Draft decision III is entitled "Strengthening the Department of Public Information, within the existing capacity, in order to support and enhance the United Nations web site in all official languages of the Organization: follow-up".

The Fifth Committee adopted draft decision III without a vote. May I take it that the Assembly wishes to do the same?

Draft decision III was adopted (decision 58/562).

The President: The Assembly will now turn to the report of the Fifth Committee contained in document A/58/572/Add.1.

The Assembly will take a decision on the draft resolution recommended by the Fifth Committee in paragraph 5 of its report. The draft resolution is entitled "Final budget appropriations for the biennium 2002-2003".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/267).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 120.

Agenda item 122

Programme planning

Report of the Fifth Committee (A/58/574)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/58/L.46.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/268).

The President: We have thus concluded this stage of our consideration of agenda item 122.

Agenda item 59 (*continued*)

Strengthening of the United Nations system

Report of the Fifth Committee (A/58/587)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The text of the draft resolution, for the time being, is contained in document A/C.5/58/L.47.

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/269).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 59.

Agenda item 121

Proposed programme budget for the biennium 2004-2005

Report of the Fifth Committee (A/58/573)

The President: The Assembly will now take a decision on the five draft resolutions recommended by the Fifth Committee in paragraph 59 of its report, which, for the time being, are contained in Part II, section IV, of document A/C.5/58/L.56.

We turn first to draft resolution I, entitled "Questions relating to the proposed programme budget for the biennium 2004-2005".

The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/270).

The President: Draft resolution II is entitled "Programme budget for the biennium 2004-2005".

The Fifth Committee adopted draft resolution II. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/271).

The President: Draft resolution III is entitled "Special subjects relating to the proposed programme budget for the biennium 2004-2005".

The Fifth Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 58/272).

The President: Draft resolution IV is entitled "Unforeseen and extraordinary expenses for the biennium 2004-2005".

The Fifth Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 58/273).

The President: Draft resolution V is entitled "Working Capital Fund for the biennium 2004-2005".

The Fifth Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 58/274).

The President: I shall now call on those representatives who wish to speak in explanation of position on the resolutions just adopted.

Ms. Goycochea (Cuba) (*spoke in Spanish*): My delegation went along with the adoption without a vote of the draft resolution on the programme budget for the biennium 2004-2005, despite our reservations about a number of its provisions. Although my delegation understands that a budget resolution should not become an extensive policy document, we believe that it should include a number of provisions that put financial decisions in context. Therefore, we think a resolution text such as this, negotiated under exceptional circumstances, is inherently exceptional and should not be a precedent for future resolutions. That is without prejudice to the merits of the resolution just adopted, which are recognized by all delegations. In that context, my delegation would like to thank the Deputy Permanent Representative of Pakistan for his extraordinary efforts to arrive at this outcome.

My delegation notes that the resolution once again imposes budgetary cuts on the amount of resources requested by the Secretary-General. We believe that everyone's commitment to the Organization should include unrestricted support for reform measures and should be reflected in consistent and unconditional support for the budgetary requests that enable the Organization to function smoothly. That would be more coherent.

The Cuban delegation is also concerned that the draft resolution has been used to promote certain reform decisions in the absence of specific decisions on the part of the relevant legislative bodies. It is in that context that we express serious reservations about the approval of the four posts requested by the Secretary-General in document A/58/569 for section 24, "Human rights", related to the implementation of measures 3 and 4 of his reform plan. Although Cuba accepted the establishment of those posts, showing great flexibility, we have serious questions about them, in that their establishment constitutes a violation of paragraphs 8 and 9 of resolution 57/300. We shall carry out the necessary follow-up on this issue once the relevant legislative bodies have indicated their position.

Mr. Kennedy (United States of America): The United States remains opposed to the financing by the United Nations of conference services for treaty bodies when the treaty itself calls for the States parties to bear such costs. In accordance with Article 17 of the Charter of the United Nations, Member States are not responsible for expenses related to such treaty body activities. However, in the context of our overall deliberations on the 2004-2005 budget and in keeping with our position that — in accordance with General Assembly resolution 41/213 — the budget should be adopted by consensus, the United States has not blocked provision for several allocations from the contingency fund, but we shall continue to oppose such expenditures.

The President: We have heard the last speaker in explanation of position.

The General Assembly has thus concluded this stage of its consideration of agenda item 121.

Agenda items 120 and 121 (*continued*) and 161

Programme budget for the biennium 2002-2003

Proposed programme budget for the biennium 2004-2005

Financing of the United Nations Mission in Côte d'Ivoire

Report of the Fifth Committee (A/58/586)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 7 of its report. The draft

resolution is entitled "Financing of the United Nations Mission in Côte d'Ivoire".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/275).

The President: The General Assembly has thus concluded this stage of its consideration of agenda items 120, 121 and 161.

Agenda item 119

Review of the efficiency of the administrative and financial functioning of the United Nations

Reports of the Fifth Committee (A/58/571 and Add.1)

The President: The Assembly will turn first to the report of the Fifth Committee contained in document A/58/571.

The Assembly will now take a decision on the five draft resolutions recommended by the Fifth Committee in paragraph 14 of its report.

Draft resolution I is entitled "Outsourcing practices".

The Fifth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/276).

The President: Draft resolution II is entitled "Report of the Joint Inspection Unit on the management audit review of outsourcing in the United Nations and the United Nations funds and programmes".

The Fifth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/277).

The President: Draft resolution III is entitled "Report of the Joint Inspection Unit on common and joint services of United Nations system organizations at Vienna".

The Fifth Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 58/278).

The President: Draft resolution IV is entitled "Report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund".

The Fifth Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 58/279).

The President: Draft resolution V is entitled "Review of duplication, complexity and bureaucracy in United Nations administrative processes and procedures".

The Fifth Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 58/280).

The President: The Assembly will now turn to the report of the Fifth Committee contained in document A/58/571/Add.1.

The Assembly will take a decision on the two draft decisions recommended by the Fifth Committee in paragraph 5 of its report. The texts of the draft decisions, for the time being, are contained in documents A/C.5/58/L.55 and A/C.5/58/L.54, respectively.

Draft decision I is entitled "Biennial programme of work of the Fifth Committee for 2004-2005".

The Fifth Committee adopted draft decision I without a vote. May I take it that the Assembly wishes to do the same?

Draft decision I was adopted (decision 58/563).

The President: Draft decision II is entitled "Questions deferred for future consideration".

The Fifth Committee adopted draft decision II without a vote. May I take it that the Assembly wishes to do likewise?

Draft decision II was adopted (decision 58/564).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 119.

The General Assembly has thus concluded its consideration of all the reports of the Fifth Committee before it.

Programme of work

The President: Apart from organizational matters and items that may have to be considered by operation of the rules of procedure of the Assembly, and bearing in mind the action already taken by the Assembly thus far, I should like to propose that the following agenda items remain for consideration during the fifty-eighth session of the General Assembly: agenda items 3 (b), 10 to 12, 17, 18, 23 (a), 25, 28, 37, 38, 40 (b), 41, 44, 47, 49, 50, 55 to 60, 83, 85, 94 (e), 117 (b) and (d), 118 to 122, 124, 125, 131 to 134, 138, 140, 143, 160, 161 and 165.

May I take it that it is the wish of the General Assembly that those agenda items remain for consideration during the fifty-eighth session of the Assembly?

It was so decided (decision 58/565).

Statement by the President

The President: It is now my pleasure to speak the words that, I am confident, we all want to hear: we have concluded our work for the first part of the fifty-eighth session of the General Assembly. Given the challenges we faced at the beginning and throughout the session, what we have been able to achieve together and the ambitious agenda we have set for ourselves for the remainder of the session, I believe it is safe to say that this session thus far has been nothing short of extraordinary.

We started this session with a most dynamic and substantive general debate. The overall policy direction provided by the record number of heads of State or Government and other high-level participants in the general debate underpinned and stimulated the work of the Main Committees and of subsidiary bodies. Therefore, we were better prepared to address the myriad critical issues on our agenda, including HIV/AIDS, financing for development, humanitarian assistance, an enhanced role for the General Committee and the revitalization of the General Assembly itself.

I was personally very optimistic at the beginning of this session that we were ready to move decisively to advance the process of revitalizing the General Assembly. I was ever conscious of the impact that a revitalized Assembly could have on the status of the United Nations in the global community. I am pleased that my reading of the readiness of Member States to move in that direction was right and that we have begun, with the adoption of a consensus resolution, a process for strengthening and revitalizing the General Assembly.

On all the issues it has addressed thus far in this session, the General Assembly has put its shoulders to the wheel to accomplish the tasks at hand. We all know that it was not easy, and in fact at times it was exceptionally difficult. But each of our steps forward spoke volumes about our determination to reach accommodation, even when the challenges seemed intractable. I believe we have thus earned the right to be highly satisfied with our accomplishments.

In particular, I am deeply appreciative of the support you have all provided in completing our work and the support you have given to me personally. In so doing, you have lightened my significant task. What we have accomplished redounds to the benefit of the General Assembly, of the United Nations and, consequently, of the various national constituencies that make up our global community.

I want especially to express my heartfelt thanks to Permanent Representatives, delegates, chairpersons and members of regional and interest groups, and facilitators for the tremendous cooperation and support they have given me during this first part of the session. I look forward to their continued cooperation and support in the remainder of the session.

The support of the Secretariat is integral to our collective effort to accomplish the goals and objectives of the General Assembly. I am especially indebted to the Under-Secretary-General and officers of the Department for General Assembly and Conference Management, who have spared no effort in assisting me and my Cabinet in every aspect of our work.

The forthcoming period will be a demanding one, filled with challenge and great opportunity. We have laid out a very demanding agenda for what remains to

be done during the rest of the session. On revitalization alone, our consensus resolution commits us to take up four key issues: the scheduling of future General Assembly sessions, including the work of the Main Committees and subsidiary and related bodies; the rationalization of the Assembly's agenda; the biennialization, triennialization, clustering and elimination of items; and the rationalization of the working methods of the Main Committees. As members are well aware, revitalization is but one of the myriad issues to which we must turn our attention. Others, including planning and preparation for the major events of 2005, will also have to be taken up with the greatest of resolve.

I have some good news: we will resume in January 2004. Technically speaking, that is next year, and we have all earned the right to rest, relaxation and recreation in the interim. I also have some not-so-good news: January 2004 is but a mere nine days away. Notwithstanding that fact, I hope that we will all be back in January, energized and, indeed, revitalized and ready to contribute to the fullest to the implementation of the courses of action on which we have agreed.

On that note, I wish all delegations and their families a wonderful holiday season and a successful and very happy New Year.

I am now pleased to declare this part of the fifty-eighth session of the General Assembly closed. I will ask members of the Assembly to join me in standing and giving ourselves a round of applause.

The meeting rose at 9.05 p.m.